

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

BECKLEY DIVISION

FRANK WHITE,

Plaintiff,

v.

CIVIL ACTION NO. 5:14-cv-26106

SAM'S EAST, INC. and
WAL-MART STORES, INC.,

Defendants.

ORDER OF DISMISSAL

On this date, the Court was advised by counsel and through the filing of an *Agreed Order of Dismissal* (Document 94) that the above-styled civil action has been compromised and settled. Accordingly, the Court **ORDERS** that the remaining requirements and deadlines contained in the scheduling order be suspended and that this action be **DISMISSED WITH PREJUDICE** and **STRICKEN** from the docket, each party to bear its own costs. The Court further **ORDERS** that any motions pending at the time of this dismissal are hereby **TERMINATED AS MOOT**.

The Court **DIRECTS** the Clerk of this Court to send a certified copy of this Order to any pro se party and to all counsel of record.

ENTER: May 17, 2016



IRENE C. BERGER
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF WEST VIRGINIA